

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Upon entry of the foregoing amendments, claims 1-59 are pending for the Examiner's consideration, with claims 1, 39, and 58 being independent claims.

Claims 2, 6, 7, and 38 are amended herein. Claims 40-55 have been added. Applicants respectfully submit that these amendments introduce no new matter. All claim amendments are supported at least by the specification and claims as originally filed. New claims 40-43 are supported at least by original claim 6. New claims 44-51 are supported at least by original claim 7. New claim 53 is supported at least by original claim 2. New claims 54-57 are supported at least by original claim 38. New claim 54 is supported at least by original claim 1 and paragraph [0029] of Applicants' specification. New claim 55 is supported at least by paragraph [0018] of Applicants' specification.

Claims 1-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,834,371 ("the Jensen patent").

Rejection Under 35 U.S.C. § 103(a)

Independent claims 1 and 39 and dependent claims 2-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,834,371 ("the Jensen patent"). Applicants respectfully traverse this rejection.

The Jensen patent discloses a system that enables an author to record or import audio clips and associate them with text slides for synchronized output during a multimedia presentation. Jensen patent, column 5, lines 29-34 and column 11, lines 47-50. The Jensen patent also discloses a user interface for assembling and editing the presentation slides and for outputting the presentation. Jensen patent, column 11, lines 51-65. As noted by the Examiner, the Jensen patent does not explicitly disclose "security disclosure data," as recited in independent claims 1 and 39. The Examiner asserts that because Jensen's recording device provides a means for recording any kind of data coming from the author of the presentation, it

would have been obvious to one of ordinary skill in the art to record audio security disclosure data for a synchronized multimedia presentation. Office Action, page 2.

Applicants respectfully submit that this rejection is not proper. The prior art asserted in the instant rejection does not disclose or suggest “audio security disclosure data” and therefore does not disclose or suggest each and every element of claim 1, as required by 35 U.S.C. § 103(a). The Examiner also has not identified a motivation to use Jensen’s system with audio security disclosure data.

The asserted prior art does not disclose or suggest “creating a text from the audio...data,” as recited in independent claims 1 and 39. To satisfy this element, the Examiner cites to the following passage of the Jensen patent:

Thus, rather than retrieving a multi-media presentation, system 20 can present an author with blank templates, into which the desired text and/or graphical data can be entered. Audio clips can then be recorded for one or more of the created slides, either concurrently with the creation of the slide, or after the slides are completed.

Jensen patent, column 5, lines 29-34. This passage states that text can be entered into a blank template. However, neither this passage nor any other passage of the Jensen patent discloses that text is “creat[ed] from” Jensen’s audio clips. Rather, the Jensen patent does not disclose or suggest any specific relationship between the creation of the text and the content of the audio clips.

Moreover, the text in Jensen’s slides cannot be “creat[ed] from” the audio clips because the audio clips do not exist prior to the text. As the Jensen patent makes clear in the passage above, audio clips are recorded either “concurrently with the creation of the slide” or “after the slides are completed.” *Id.* In either case, Jensen’s audio clips are not recorded before any text that may appear in Jensen’s slides. Accordingly, Jensen’s audio clips do not exist before -- and thus cannot serve as the basis for -- the creation of any text.

To the contrary, various passages of the Jensen patent suggest that the text is created first. For instance, after disclosing that text can be entered into blank templates in the passage above, the Jensen patent states that “[a]udio clips can then be recorded for one or more of the created slides,” implying that audio is recorded after text is entered into the template. (Emphasis

added.) Other passages of the Jensen patent also suggest that slide text exists before, or at least independent from, the audio clips. See, e.g., Jensen patent, column 3, lines 53-60. Accordingly, the Jensen patent does not disclose or suggest “creating a text from the audio...data” as recited in claim 1. For at least the foregoing reasons, Applicants respectfully submit that the rejection based on the Jensen patent cannot properly be maintained.

The dependent claims are also patentable, for the same reasons that the base claims from which they depend are patentable, and further due to additional features recited in those dependent claims. For example, in contrast to the Examiner’s assertions, the Jensen patent does not disclose or suggest text that is a transcript of audio data, as recited in claim 2. The Jensen patent does not disclose or suggest the word “transcript,” and as noted above, the Jensen patent does not disclose or suggest any specific content relationship between its text and audio clips. Similarly, the Jensen patent does not disclose or suggest text that is a “summary” of audio data, as recited in new claim 53. In addition, the Jensen patent does not disclose or suggest inserting markers based on “phonemes” as recited in claims 23, 36, and 40, nor does the Jensen patent disclose or suggest inserting markers based on “patterns” as recited in claims 23, 24, 36, 37, 43, 45, and 55. As another example, the Jensen patent does not disclose or suggest “first marker audio data” that is delivered “as a selectable connection which when selected will enable [a] processor to deliver...second marker text and...third marker visual data,” as recited in claim 12.

Conclusion


All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: October 13, 2006

Respectfully submitted,

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